

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31556 of 2020

Arising Out of PS. Case No.-120 Year-2020 Thana- TARAIYA District- Saran

AMIT KUMAR SHARMA Son of Prasuram Sharma Resident of Village-
Pokhrera, P.S.- Taraiya, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh

For the Opposite Party : Mr. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-12-2020 Heard Mr. Mukesh Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Mustaque Alam,
learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of
Taraiya P.S. Case No. 120 of 2020, registered for the offence
punishable under Sections 304(B)/34 of the Indian Penal Code.

Petitioner is the husband of the deceased. Allegedly,
the deceased was married to the petitioner on 20.02.2020. There
is allegation of demand of dowry and subsequent death of the
deceased out of consumption of poison. It is clear from the First
Information Report itself that the deceased was taken to a local
clinic first by the in-laws and then to Paras Hospital at Patna for
her treatment. It further transpires that the petitioner was also
admitted in Paras Hospital with the same symptoms of
consumption of poison, whereas the deceased succumbed, the



petitioner recovered after few days.

Learned counsel appearing on behalf of the petitioner has submitted that had there been any intention to maltreat the deceased for non-fulfillment of dowry, the in-laws would not have taken her to an expensive hospital like Paras Hospital at Patna, for her better treatment. He has submitted that in any event, the charge-sheet has been submitted and there is no likelihood of the petitioner fleeing from the course of trial. The petitioner is in custody since 15.05.2020.

Considering the facts and circumstances, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 5th Additional Session Judge, Saran at Chapra, in Taraiya P.S. Case No. 120 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-



(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

Pawan/-

U		T	
---	--	---	--

